



T.D 0360

In re Application of: Gennady MERKULOV et al. Art Unit:
Serial No. 09/804,474 Examiner:
Filed: March 13, 2001 Atty. Docket: CL000891

For: ISOLATED HUMAN TRANSPORTER PROTEINS,
NUCLEIC ACID MOLECULES ENCODING HUMAN
TRANSPORTER PROTEINS, AND USES THEREOF

**Response to Notice of Incomplete Reply
And Submission of Declaration**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This in response to the Notice of Incomplete Reply mailed March 27, 2002, stating that the Oath/Declaration is missing.

Attached is the original Declaration as submitted on August 13, 2001. As can be seen by the date stamp on the top of the first page, the Declaration was received by the Office of Initial Preliminary Examination on August 13, 2001. However, it has come to Applicants' attention that the Declaration was then forwarded to the Assignment branch where it was recorded together with the Assignment and returned to Applicants. If there are any questions, please contact the undersigned.

As set forth in 37 CFR § 1.41, "[t]he inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by 37 CFR § 1.63[.]" 37 CFR § 1.41(a)(1).

At the time of execution of the Declaration, a good faith determination of the inventorship was made. The inventorship of the above-identified application is as set forth in the Declaration, and is as follows: Gennady V. MERKULOV, Karen A. KETCHUM, Wei SHAO, Chunhua YAN, Valentina DI FRANCESCO, and Ellen M. BEASLEY. Signatures of all these inventors are present on the Declaration as filed on August 13, 2001.

It is believed that no fee is due for this Response. However, the Commissioner is hereby authorized to charge Deposit Account No. 50-0970 (Ref. CL000891) for any deficiencies.

Respectfully submitted,

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Date: May 10, 2002

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/804,474	03/13/2001	Stefan Kodet	CL000891

25748
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CONFIRMATION NO. 8769

FORMALITIES LETTER



OC000000006897946



Date Mailed: 03/27/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 08/13/2001 to the Notice to File Missing Parts (Notice) mailed 05/14/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE